

1 HEATHER E. WILLIAMS, #122664  
2 Federal Defender  
3 NOA E. OREN, #297100  
4 Assistant Federal Defender  
5 801 I Street, 3<sup>rd</sup> Floor  
6 Sacramento, CA 95814  
7 Telephone: (916) 498-5700  
8 Noa\_Oren@fd.org

9 Attorneys for Defendant  
10 SYLVIA SIMONSEN

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

20 UNITED STATES OF AMERICA, ) Case No. 3:19-mj-007 DMC  
21 )  
22 Plaintiff, ) **STIPULATION AND [PROPOSED] ORDER**  
23 ) **TO CONTINUE PRELIMINARY HEARING**  
24 ) **AND EXCLUSION OF TIME**  
25 v. )  
26 )  
27 SYLVIA SIMONSEN, ) Date: November 6, 2019  
28 ) Time: 2:00 p.m.  
Defendant. ) Judge: Hon. Allison Claire  
-----)

20 Plaintiff, United States of America, by and through Assistant United States Attorney  
21 James Conolly and Defendant Sylvia Simonsen, through her attorney Noa E. Oren, Assistant  
22 Federal Defender, hereby stipulate to continue the Preliminary Hearing set for November 6, 2019  
23 to December 11, 2019, at 2:00 p.m.

24 The parties agree that the time beginning November 6, 2019 extending through  
25 December 11, 2019, should be excluded from the calculation of time under the Speedy Trial Act.  
26 Further, the Defendant consents to an extension of the time for a Preliminary Hearing until  
27 December 11, 2019. Fed.R.Crim.P. 5.1(d). The parties submit that the ends of justice are served  
28 by the Court excluding such time, so that they may have reasonable time necessary for effective  
preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). In

1 particular, the time is required so that the parties can conduct investigation and review discovery.  
2 Ms. Simonsen consents to this continuance.

3 The parties stipulate that the interests of justice outweigh the interest of the public and the  
4 defendant in a speedy trial, 18 U.S.C. § 3161(b) and (h)(7)(A), and further that this good cause  
5 outweighs the public's interest in the prompt disposition of criminal cases. Fed.R.Crim.P. 5.1(d).

6 IT IS SO STIPULATED.

7  
8 Dated: October 30, 2019

HEATHER E. WILLIAMS  
Federal Defender

10 /s/ Noa E. Oren  
11 NOA E. OREN  
12 Assistant Federal Defender  
13 Attorney for SYLVIA SIMONSEN

14 Dated: October 30, 2019

MCGREGOR W. SCOTT  
United States Attorney

15 /s/ James Conolly  
16 JAMES CONOLLY  
17 Assistant United States Attorney  
18 Attorney for Plaintiff

## ORDER

The Court has read and considered the Stipulation to Continue the Preliminary Hearing Pursuant to Rule 5.1(d) and Exclusion of Time. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T4. The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

1. The preliminary hearing is continued to December 11, 2019, at 2:00 p.m.
2. The time between November 6, 2019, and December 11, 2019, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T4.
3. Defendant shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

Dated: October 31, 2019

EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE